

OGC 7-2126a
ER 9-9096a

DECEMBER 1957

STAT

The Honorable John L. McClellan, Chairman
Permanent Subcommittee on Investigations
Senate Committee on Government Operations
Washington 25, D. C.

Dear Senator McClellan:

Reference is made to your letter of 2 December 1957 requesting information in connection with the policy and procedures of this Agency in adhering to the provisions of Article I, Section 9, Clause 8 of the Constitution of the United States.

The policy and procedures of the Central Intelligence Agency on this subject are set forth in Agency regulations which are quoted in pertinent part in the enclosures herewith.

Portions of the quoted regulations have been omitted as they relate to certain specialized situations arising out of classified aspects of this Agency's activities. However, these regulations in their entirety have been examined by Mr. Joseph Maher of the Subcommittee staff, and, of course, if you would like to examine them personally we would be glad to make them available. As quoted they represent Agency policy and procedures in substance.

Your letter also requests us to list any instances falling within the cited provisions of the Constitution which have occurred in the past. We have reviewed the instances reported in accordance with the Agency regulations noted above and in each case the facts are classified as they involve confidential activities of this Agency. We feel we should not, therefore, make public a list of such instances, but if you wish further information in this regard I would be pleased to discuss this problem personally.

In general, gifts have been received and have in some instances been kept by the employee with Agency approval on the basis of their insignificant intrinsic value. There is no record of any money gift having ever been received by any employee of this Agency. We have not as yet disclosed any gifts or the names of recipients to the Department of State for the same reason we noted above in connection with any public disclosure of such a list at this time.

Sincerely,

Allen W. Dulles
Director

Enclosures-2

OGC/LC:GLCJr:mks
Rewritten: OGC:LRH:job
DCI
DDCI
✓ER
DD/S
Director of Personnel
Director of Security
Legislative Counsel w/basic
General Counsel

PC: 100-10000
DPC: 100-10000

Orig + 1 returned to Leg. Counsel
for hand carry to Senator McClellan
STAT by Mr. [redacted] of Leg. Counsel Office.

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MEMORANDUM FOR:

exists in that the Constitution prohibits accepting any present, whereas our list indicates that in the majority of cases the employees have been authorized to retain the presents. Our regulations provide that in the case of perishables or gifts of insignificant intrinsic value, their retention may be authorized for "Agency purposes or for the benefit of Agency personnel as may be appropriate." This was not intended in the first instance to authorize retention by the employee but to provide a satisfactory practical disposition of such gifts. If shown the list, the Senator may call us on our authorization for retention in the past and on our definition of insignificant intrinsic value.

LAWRENCE R. HOUSTON
General Counsel

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FORM NO. 101 REPLACES FORM 10-101
1 AUG 54 WHICH MAY BE USED.

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